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United States Attorney
Eastern District of New York

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September 15, 1999

TO BE FILED UNDER SEAL

The Honorable I. Leo Glasser
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Salvatore Lauria
Criminal Docket No. 98-1102 (ILG)

Dear Judge Glasser:

This letter is submitted to advise the Court of a new civil filing, CV-99-5680, which has been filed today, and to explain its relation to prior filings in the above-captioned criminal case.

By way of background, in December 1998, the defendant, Salvatore Lauria, entered into a Cooperation Agreement pursuant to which he pled guilty to a RICO charge under 18 U.S.C. § 1962 et seq. In connection with his guilty plea, the defendant also entered into a Consent Order, pursuant to which the parties agreed that certain properties, and the proceeds from the sale of such properties, would be set aside in an account, subject to future determination by the Court as to the possible payment of a fine or restitution.

The government has made the new civil filing -- a Verified Complaint In Rem -- in order to effect elements of the Consent Order. This Complaint seeks the issuance of a Warrant of Arrest of Articles In Rem as to properties referenced in the Consent Order. In support of the issuance of the Warrant, the Complaint relies in part on allegations in the felony Information to which the defendant has pled guilty.

In addition, since entry into the Cooperation Agreement and the Consent Order, the defendant's financial circumstances

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have changed, such that the parties now anticipate entering into an Amended Consent Order which takes account of the Verified Complaint In Rem and the Warrant. When the parties reach agreement as to a modified Consent Order, we will submit it to the Court for review and approval. If the Court requires further information concerning these matters, we will of course seek to provide it.

Due to the nature of this letter and the underlying criminal proceeding, the government requests that this letter be filed under seal.

Respectfully submitted,

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UNITED STATES ATTORNEY

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